

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
IN CLERKS OFFICE

2022 JUN 22 AM 10:05

UNITED STATES OF AMERICA
PLAINTIFF

V.

NOSAYAMEN IYALEKHUE
DEFENDANT

CRIMINAL ACTION
No. 1:20-CR-10208-RWZ-1

MOTION PURSUANT TO TITLE 18 U.S.C. § 3582 et seq.

District Courts around the country have recognized that defendants are entitled to relief under the first step act for "extraordinary and compelling" reasons.

- In United States v. Young No. 02000-CR-00002-1 2020 WL 1047815 at 6 (M.D. Tenn. March 4, 2020) the court states that;

"Majority of the District Courts that have considered the issues have likewise held, based on the first step act, that they have the authority to reduce a prisoner's sentence upon the court's independent findings of an extraordinary and compelling reason.

In this motion Petitioner will prove to this Honorable Court that extraordinary and compelling reasons exist for the court to grant Petitioner relief.

On March 4, 2021 this Honorable Court issued a Judgment and Commitment order in which the court put Petitioner in the custody of the United States Bureau of Prisons.

Under a congressional enabling statute, Congress outlines the duties and functions of the B.O.P. under the direction of the Attorney General.

The same provides in relevant parts... (2) provides suitable quarters, and provides for a safekeeping, care, and subsistence of all persons.. convicted of offenses against the United States.

Denied, as defendant did not exhaust all administrative rights and the motion fails to disclose any extraordinary or compelling reasons to justify its allowance.

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*Requid Zobel
June 30, 2022*